



A G E N D A
OCONEE COUNTY COUNCIL MEETING
Tuesday, March 15, 2011
6:00 PM

Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC 29691

1. **Call to Order**
2. **Extended Public Comment Session** *(Limited: 2 citizens per mg. for 5 minutes, prior scheduling required)*
 - None Scheduled at this Meeting.
3. **Public Comment Session/Agenda Items**
Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.
4. **Public Comment Session/Non Agenda Items – time permitting**
Agenda & Non Agenda Items: Combined both are limited to a total of forty (40) minutes, four (4) minutes per person.
5. **Council Member Comments**
[Directly following Public/Extended Public Comment Session if applicable & time permits]
6. **Meeting Recess** *[Meeting will Recess no later than 6:50 p.m.]*

7. **Meeting Reconvenes** *[Meeting will Reconvene at 7:00 p.m.]*
8. **Moment of Silence**
9. **Pledge of Allegiance to the Flag of the United States of America**
10. **Approval of Minutes**
 1. March 1, 2011: Regular Meeting
11. **Public Hearing regarding the Following Ordinances:**

Ordinance 2010-40 “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO”
[Rock Creek Request]

Ordinance 2011-06 “AN ORDINANCE TO AMEND CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, CLARIFYING THE APPOINTMENT PROCEDURE TO THE OCONEE COUNTY PLANNING COMMISSION; AND OTHER MATTERS RELATED THERETO”
12. **Consideration of the Following Proclamations:**
 1. First & Final Reading of **Proclamation P-2011-02** “A PROCLAMATION HONORING MR. JULIAN RANDOLPH ‘RANDY’ ABBOTT, SR.”
 2. First & Final Reading of **Proclamation P-2011-03** “A PROCLAMATION HONORING THE WESTMINSTER RECREATION DEPARTMENT’S TEN AND UNDER GIRLS BASKETBALL TEAM UPON RECEIVING THE STATE CHAMPIONSHIP TITLE”

3. First & Final Reading of **Proclamation P-2011-04** “A PROCLAMATION HONORING THE WEST OAK HIGH SCHOOL WRESTLING TEAM UPON RECEIVING THE STATE CHAMPIONSHIP TITLE”

13. Consideration of the Following Ordinances:

1. Third & Final Reading of **Ordinance 2010-40** “AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO”

[Rock Creek Request]

The proposed Ordinance 2010-40 stems from a citizen-initiated rezoning request. On December 7, 2010 Council took first reading in title only and referred the request to the Planning Commission for their review. The Planning Commission took up the request at a regularly scheduled meeting on January 24, 2010. Planning staff presented the request and made a recommendation to the Commission regarding the proposed rezoning and compliance with the Comprehensive Plan. On February 15, 2011 Council considered the Planning Commission recommendation and took 2nd reading on the rezoning ordinance, scheduling the public hearing for March 15, 2011.

It is the staff's recommendation that Council take 3rd & Final Reading of Ordinance 2010-40.

1. Third & Final Reading of **Ordinance 2011-06** “AN ORDINANCE TO AMEND CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, CLARIFYING THE APPOINTMENT PROCEDURE TO THE OCONEE COUNTY PLANNING COMMISSION; AND OTHER MATTERS RELATED THERETO”

2. Second Reading of **Ordinance 2011-08** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND ALTERA POLYMERS LLC; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, AUTHORIZATION OF AN INFRASTRUCTURE TAX CREDIT”

It is staffs recommendation that Council take Second Reading of Ordinance 2011-08 and schedule the public hearing and third & final reading for April 5, 2011.

3. Second Reading of **Ordinance 2011-09** “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES NO. 2006-027, 2008-017, 2010-04, 2010-24 and 2010-32 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK.” and Fifth Amendment of Agreement for Development of Joint County Industrial/Business Park.

This Ordinance and Amendment of Agreement for Development relates to Altera Polymers, LLC., being added to the county's Joint County Industrial/Business Park.

It is staffs recommendation that Council take Second Reading of Ordinance 2011-09 and the 5th amendment of agreement and schedule the public hearing and third & final reading for April 5, 2011.

14. Discussion & Possible Action Items

[5 min. per Action Item]

1. Acceptance of Oconee County Council Retreat Report and Adoption of Vision & Mission Statements for Oconee County

Council held a Planning Retreat facilitated by Mr. Dennis Lambries, University of South Carolina's Institute for Public Service & Policy Research, on Thursday, January 27, 2011 in Council Chambers. As a result of that facilitated meeting a written report was prepared with recommendations to include wording for a vision statement, mission statement and short & long term goals.

Council needs to adopt both a Vision and Mission Statement for Oconee County and to direct staff to work toward achieving identified short and long term goals.

2. Bid 10-01 / not to exceed amount of \$929,446.30 including 10% Contingency / Road Improvements / Three Part Approval Request [listed below]

This bid was issued for construction services and paving of approximately two miles of County roads. The two miles consist of Cartee Road in Seneca, SC -- approximately 2,400 feet long with replacement of approximately 2,755 feet of existing waterline; Edgewood Drive in Fair Play, SC -- approximately 4,875 feet long and Wisteria Drive in Westminster, SC -- approximately 2,150 feet long with a cul-de-sac. The bid document listed specific requirements that the contractor must follow and the bid allowed for the cost of asphalt materials to be indexed to the SCDOT liquid asphalt index and this cost to be reviewed once a month to determine the price of the asphalt mix. On February 24, 2011, formal sealed bids were opened. Forty-nine companies were originally notified of this bid opportunity, three companies submitted bids, and two "no bids" were received. Thrift Brothers, Inc. of Seneca, SC submitted the lowest bid for each individual road and a total of \$844,951.18. Goldie and Associates (project engineers for this project) has reviewed the low bid and recommends the bid be awarded to Thrift Brothers, Inc.

It is the staff's recommendation that Council: [1] award Bid 10-01, 2011 Road Improvements – Cartee Rd, Edgewood Dr and Wisteria Dr to Thrift Brothers, Inc of Seneca, SC in the amount of \$844,951.18, [2] authorize staff to spend an additional \$84,495.12; a 10% contingency if needed, to account for fluctuating asphalt prices, any variances in quantities, and the possibility of additional roadway testing (i.e. if rock or unsuitable material is encountered). The total not to exceed price is \$929,446.30, and [3] authorize the County Administrator to execute the contract and sign/approve any change orders up to the contingency amount.

3. ATAX / \$4,790 / Westminster Chamber of Commerce / TV & Radio Advertisement/Marketing of Mayberry Fest

State ATAX funds are received quarterly and 65% of those funds are Tourism Related funds that are to be disbursed as recommended by the ATAX committee and approved by County Council. All ATAX grant recipients are required by state law to turn in intermediate reports every 60 days to the progress of the grant and a final report upon completion of the grant. These reports are placed in the grant folder, which is kept active by the ATAX chairperson until the grant is considered complete, and then it is stored by the PRT office. Since October 1960, folks have enjoyed "The Andy Griffith Show". Still in syndication after 50 years, the show crosses all generations with its humor and great life lessons. As with most areas, there are several thousand Mayberry fans in the southeast. With that in mind, the City of Westminster will transform itself into the Town of Mayberry for two days . . . April 15th and April 16th, 2011. Original request was \$11,976. Committee recommends Approval of ATAX grant request of \$4,790.00 based on expected tourism impact of 40%.

It is the staff's recommendation that Council approve \$4,790 for television and radio advertising/marketing for Mayberry Fest for the Westminster Chamber of Commerce.

4. ITB 10-04 / \$128,373.50 + Contingency/ HVAC Upgrade at Seneca, Walhalla & Westminster Library

Oconee County received an Energy Efficiency and Conservation Block Grant (EECBG), in the amount of \$196,744, for energy efficiency and renewable energy improvements to County Libraries. These improvements include HVAC upgrades at Seneca, Walhalla and Westminster Branch Libraries; installing insulation at Walhalla and Westminster Branch Libraries; and installing T-8 lighting at Seneca, Walhalla and Westminster Branch Libraries. Recent changes to refrigerant standards require new air handlers to be installed, which was not included in the initial grant application. The County may use \$17,000 in grant funds, budgeted for administrative costs, to pay for the required air handlers. On August 31, 2010, formal sealed bids were opened for the HVAC upgrade. Two companies submitted bids, with McG Mechanical of Anderson, SC submitting the lowest bid of \$128,373.50. Three companies submitted a "No Bid" response, stating their schedule would not permit them to perform. A grant revision was required, due to changes in specifications and bid totals, prior to presenting the Agenda Item Summary to Council for approval. The grant revision was submitted in October 2010 and was approved in March 2011. Funding for this project is provided from American Recovery and Reinvestment Act of 2009 through the Energy Efficiency and Conservation Block Grant (EECBG), in the amount of \$196,744. No Oconee County funds will be utilized for this project.

It is the staff's recommendation that Council (1) Award Bid #10-04 to McG Mechanical of Anderson, SC, in the amount of \$128,373.50, for HVAC upgrade at Seneca, Walhalla and Westminster Library Branches, (2) Approve contingency funding, in the amount of \$7,000 (approximately 5.5%), to be reserved for change orders if any are required, and (3) Approval for Administrator's authorization to sign change orders within the contingency amount stated above.

5. ITB 10-05, Lighting Upgrade at Seneca, Walhalla & Westminster Library

Oconee County received an Energy Efficiency and Conservation Block Grant (EECBG), in the amount of \$196,744, for energy efficiency and renewable energy improvements to County Libraries. These improvements include installing T-8 lighting at Seneca, Walhalla and Westminster Branch Libraries; HVAC upgrades at Seneca, Walhalla and Westminster Branch Libraries; and installing insulation at Walhalla and Westminster Branch Libraries. Bidders were asked to submit bids for retrofitting the existing luminaires. On, September 23, 2010, formal sealed bids were opened for lighting modifications at the Libraries. Three companies submitted bids, with Network Controls and Electric, Inc. of Greenville, SC submitting the lowest base bid of \$51,244. Two companies submitted a "No Bid" response, stating their schedule would not permit them to perform. A grant revision was required, due to changes in specifications and bid totals, prior to presenting the Agenda Item Summary to Council for approval. The grant revision was submitted in October 2010 and was approved in March 2011. Funding for this project is provided from American Recovery and Reinvestment Act of 2009 through the Energy Efficiency and Conservation Block Grant (EECBG), in the amount of \$196,744. No Oconee County funds will be utilized for this project.

It is the staff's recommendation that Council approve (1) Award Bid #10-05 to Network Controls and Electric, Inc. of Greenville, SC, in the amount of \$51,244, for lighting modifications at Seneca, Walhalla and Westminster Library Branches, (2) Approve contingency funding, in the amount of \$2,000 (approximately 4%), to be reserved for change orders if any are required, and (3) Approval for Administrator's authorization to sign change orders within the contingency amount stated above.

6. ITB 10-24 / \$2,068,395.15 / Fiber Optic Cabling / Broadband Project FOCUS

On August 18, 2010, Oconee County received \$9.6M in Federal ARRA funding to construct a 270 mile (approximate) broadband network in the County. This project will provide critical broadband infrastructure that will benefit the County through connection of 164 Anchor Institutions and by providing much needed high speed data. The total number of households that will be passed by the project is 25,200, total businesses passed by is 2,230. The Project will be involved with approximately 75 public facilities including hospitals, schools, libraries, health care facilities and emergency shelters. This bid was for the fiber optic cabling necessary to complete this project. The bid requested pricing for cabling in 288, 144, 96, and 24 strands of fiber and estimated amounts for each size. On March 8, 2011, formal sealed bids were opened for fiber optic cabling. Thirty-one companies were originally notified of this bid opportunity. Seven companies submitted bids, two bids were rejected for non compliance, three companies submitted "no bids", and OFS Fitel, LLC of Carrollton, GA, submitted the lowest bid of \$2,068,395.15. The FOCUS Broadband Project is funded by a \$9.6M Federal ARRA grant. The County is required to provide matching funds which will bring the total project budget amount to \$14,306,764.00.

It is the staff recommendation that Council award ITB 10-24, for Fiber Optic Cabling for Broadband Project FOCUS to OFS Fitel, LLC of Carrollton, GA for \$2,068,395.15.

15. **Board & Commission Appointments**

[There are no questionnaires on file in the Clerk's office for current District specific openings listed below]

1. Board of Zoning Appeals – **Dist IV** need new appointment
2. Emergency Services Commission – **District II** Representative needed; Mr. Jess Neville resigned
3. Aeronautics Commission – **District V** Representative needed; Mr. Fred Golden resigned

16. **Commission / Board Reports to Council** *[ten minute maximum]* *None at this Meeting.*

17. **Council Committee Reports**

1. Transportation Committee / Mr. Thrift

18. **Administrator Report**

19. **Old Business**

20. **New Business**

21. **Adjourn**

[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers. ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building and are available on the County Council Website www.oconeesc.com/council.html [All upcoming meetings will be held in Council Chambers unless otherwise noted]